



## New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	122	Manual of Requirements for Child Care Centers	8/6/2009
Subchapter:	4	Staff Requirements	
Section	1	<b>General requirements for sponsor/sponsor representative, director, and all staff members (N.J.A.C. 10:122-4.1)</b>	

### **§10:122-4.1 General requirements for sponsor/sponsor representative, director, and all staff members**

(a) The sponsor/sponsor representative, director, and every staff member shall:

1. Be of good character and reputation;
2. Be in sufficient physical, mental and emotional health to perform his or her job duties satisfactorily; and
3. Possess skills, attributes, and characteristics conducive to and suitable for sponsoring a center or dealing with children, as applicable.

(b) Prior to hiring or utilizing a director or a staff member who will be working at the center on a regularly scheduled basis, the sponsor/sponsor representative or director shall complete and maintain on file for each individual a Staff Records Checklist, signed by the sponsor/sponsor representative or director and designated by the Office of Licensing, indicating that the center has obtained documentation of the following:

1. The individual's name, address, telephone number and signature;
2. Education and work experience;
3. Disclosure of the presence or absence of conviction(s) for crimes or disorderly persons offenses;
4. Completion of a Child Abuse Record Information background check, as specified in N.J.A.C. 10:122-4.9, and a Criminal History Record Information fingerprint background check, as specified in N.J.A.C. 10:122-4.10;
5. Completion of a Mantoux tuberculin skin test, as specified in N.J.A.C. 10:122-7.4(a), and physical examination, as specified in N.J.A.C. 10:122-7.4(b);

6. The staff member's signature attesting to the receipt of the policy statement on the disciplining of children by staff members, as specified in N.J.A.C. 10:122-6.6(e);

7. The staff member's signature attesting to the receipt of the Information to Parents document, as specified in N.J.A.C. 10:122-3.6(b); and

8. Two written and/or verbal references on each individual.

i. The references shall be secured from former employers or other persons who have knowledge of the individual's work experience and/or education and who can attest to the individual's suitability to work with children.

ii. The verbal references shall be documented in writing by the sponsor/sponsor representative or director.

(c) The sponsor/sponsor representative shall:

1. Maintain on file, regarding himself or herself, the results of the Child Abuse Record Information background check and the Criminal History Record Information fingerprint background check, as specified in (b)4 above; and

2. Disclose to the Office of Licensing, in writing, the following:

i. The sponsor/sponsor representative's name, address, and telephone number;

ii. The sponsor/sponsor representative's signed statement of the presence or absence of conviction(s) for crimes or disorderly persons offenses; and

iii. Information about and circumstances surrounding any previous denial, suspension, revocation, or non-renewal of a license to own or operate a center either by the Office of Licensing or by the licensing agency of another state.

(d) The staff records specified in (a) through (c) above shall be maintained on file as follows:

1. The Staff Records Checklist for the current director and all staff members currently working at the center shall be maintained on file at the center.

2. The Staff Records Checklist for the former director and staff members no longer working at the center shall be maintained on file either at the center or at a central administrative office. The checklist shall be updated to indicate the reason for discontinuance of employment.

3. Documentation of the information listed in the Staff Records Checklist shall be maintained on file either at the center or at a central administrative office.

(e) Failure by a sponsor/sponsor representative, director, or other staff member to comply with the requirements specified in (a) through (c) above and/or any evidence demonstrating unfitness or unsuitability to fulfill the responsibilities and duties of his or her position or to serve or deal with children in an appropriate manner shall constitute grounds for one or more of the following actions:

1. Removal of the sponsor/sponsor representative, director, or other staff member from his or her position;
2. Reassignment to other duties that do not involve contact with children;
3. Termination from the center; and/or
4. Denial, refusal to renew, suspension or revocation of the center's license.

(f) Evidence of a previous denial, suspension, revocation, or non-renewal of a license, as specified in (c)2iii above, shall not in and of itself result in an automatic disqualification of the sponsor/sponsor representative or prospective sponsor/sponsor representative to secure a license for another or the same center, but shall constitute grounds for the Office of Licensing to investigate the circumstances that led to the original negative action and to make a determination as to whether to reject or process the new application for a license.